

United States District Court

SOUTHERN

DISTRICT OF
MCALLEN DIVISION

TEXAS David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

Michael GARCIA-Hernandez

YOB: 1979

COC: Cuba

Name and Address of Defendant

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 13, 2016 in Hidalgo County, in the Southern District of Texas defendant(s) did,

being then and there an alien, who had been previously **deported/removed** from the United States in pursuance of law did therefore knowingly, willfully and in violation of law attempt to gain illegal entry into the United States, the Attorney General of the United States and/or the Secretary of Homeland Security, not therefore having consented to a re-application by the defendant for admission into the United States,

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Customs and Border Protection Officer and that this complaint is based on the following facts:

The defendant attempted to enter the United States illegally as a pedestrian at the Hidalgo Port of Entry by presenting his invalid Resident Alien Card. He was escorted to secondary for further inspection. In secondary, database queries revealed the defendant had been ordered deported/removed by an Immigration Judge on 01/28/2008. Records show no evidence exists of the defendant having obtained permission from the United States Attorney General or the Secretary of Homeland Security to re-enter the United States. The defendant is a citizen of Cuba and has no legal status in the United States. On 12/03/2008, the defendant was convicted to 14 months confinement for Conspiracy to Encourage and Induce Aliens.

Continued on the attached sheet and made a part of this complaint:

Yes

No

Sworn to before me and subscribed in my presence,

Approved By: L. Wang

June 14, 2016

Date

Peter E. Ormsby

U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Complainant

Nidia Trevino

Printed Name of Complainant

McAllen, Texas

City and State

Signature of Judicial Officer